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PTO/SB/06 (08-03)

Approved for use through 7/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

PATENT APPLICATION FOR STATEMENT OF COMMERCE

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875										Application or booker Number		
	CLAIMS AS FILED – PART I (Column 1) (Column 2)						-	SMALL	ENTITY	OR	OTHER THAN SMALL ENTITY	
FOR		NUM	NUMBER FILED		NUMBER EXTRA			RATE	FEE]	RATE	FEE
(37	SIC FEE CFR 1.16(a))			•			7		s	1	- CATE	
	TAL CLAIMS CFR 1.16(c))		minus 20 =		•		1	x \$ =	 	OR		\$
	EPENDENT CLAI CFR 1.16(b))	MS	minus 3 =				1			OR	× \$=	
H	- ' '' -	ENT CLAIM DDESS	minus 3 -				┨	× \$=	 	OR	× \$=	<u> </u>
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d))]	+ \$=		OR	+ s =		
* If the difference in column 1 is less than zero, enter "0" in column 2.							TOTAL		OR	TOTAL	<u> </u>	
CLAIMS AS AMENDED - PARTII Codumn 3) CLAIMS HIGHEST CLAIMS HIGHEST						, ,	SMALL [ENTITY	OR	OTHEF SMALL		
AMENDMENT A	H-JI-OL Total	REMAINING AFTER AMENDMENT	Minus	NUMBI PREVIOU PAID F	ER JSLY	PRESENT EXTRA	7	RATE	ADDI- TIONAL FEE		RATE	ADDI- TIONAL FEE
	(37 CFR 1.16(c))	.8	Minus		<u>/</u>	-		× 5=		OR	× \$=	
MEI	(37 CFR 1.16(b))	4	iviinus		2	-		x \$=		OR	× \$=	
۷	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))							+ \$ =		OR	+\$ =	
				-	-			TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	
		(Column 1) CLAIMS	, .	(Colum		(Column 3)				_		ļ
AMENDMENT B		REMAINING AFTER AMENDMENT		HIGHES NUMBE PREVIOU PAID FO	ER ISLY	PRESENT EXTRA		RATE	ADDI- TIONAL FEE		RATE	ADDI- TIONAL FEE
	Total (37 CFR 1.16(c))	*	Minus	**		=		x \$ =		OR	x \$ =	- '
	Independent (37 CFR 1.16(b))	•	Minus	***	-	= .		x s =		Ì		
A	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))							+s =		OR OR	× \$=	
					_		L	TOTAL ADD'L FEE		OR L	+ \$ = TOTAL ADD'L FEE	
		(Column 1)		(Column	1 2)	(Column 3)		, –			-	
AMENDMENT C		CLAIMS REMAINING AFTER AMENDMENT		HIGHES NUMBE PREVIOUS PAID FO	R SLY	PRESENT EXTRA		RATE	ADDI- TIONAL FEE		RATE	ADDI- TIONAL FEE
	Total (37 CFR 1.16(c))		Minus	**		=		× \$=		OR	x \$ =	
	Independent (37 CFR 1.16(b))	*	Minus	***		=		× \$ =			× \$	
₹	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))						T	+ s =		ľ		
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.								TOTAL ADD'L FEE		OR L	+ \$= TOTAL ADD'L FEE	
•	If the "Highest N	lumn 1 is less that umber Previously umber Previously	Paid For	IN THIS SP.	ACE is	clace than 20 c	ntor	"20". 3".			<u>.</u>	

The "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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I hereby certify that this correspondence is being facsimile transmitted to:

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on April 27, 2006

Edward A. Squillante, Jr. Reg. No. 38,319 Attorney for Applicants April 27, 2006 Date of Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CUSTOMER NO.

000201

APPLICANT:

Farr et al.

SERIAL NO.: FILED:

10/081,483 February 22, 2002

FOR:

Effervescent Beverage Product

GROUP:

1761

EXAMINER:

Robert Madsen

ENGLEWOOD CLIFFS, NEW JERSEY 07632

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir.

Applicants hereby appeal to the Board of Appeals from the decision dated January 27, 2006 of the Primary Examiner's final rejection of claims 1 and 3-18.

The item(s) check below are appropriate:

[X] A timely response to the final Rejection has been filed.

[] An Extension of Time to respond to the Final Rejection was requested for two months.

[] An Extension of Time to file a Notice of Appeal was granted for one month(s).

[X] Charge statutory fee of \$500.00 to Deposit Account No. 12-1155. Please charge any additional fees or credit overpayment to Deposit Account No. 12-1155. This request is being submitted in triplicate.

Edward A. Squillante, Jr. Attorney for Applicant Registration No. 38,319

EAS:pod (201) 894-2925